

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

EDUARDO JACOBS,

Plaintiff,

CASE NO. 15-10516  
HON. DENISE PAGE HOOD

v.

RAYMON ALAM, *et al.*,

Defendants.

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**ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFF'S  
MOTION TO QUASH DEPOSITION NOTICES [#213]**

This matter is now before the Court on Plaintiff's Motion to Quash Deposition Notices. [ECF No. 213] On November 7, 2019, Defendants issued Notices of Taking *De Bene Esse* Depositions for their expert witnesses, Dr. Craig Lemmen and Dr. Nathan Gross. Plaintiff argues that trial is scheduled to start on November 12, 2019, and that issuing notices to depose witnesses so close to trial is unreasonable. The Court agrees that taking depositions an hour before trial is scheduled to begin on Tuesday, November 12, is unreasonable. The parties will need to schedule the deposition of Dr. Nathan Gross, scheduled for November 12, 2019, for another time. Although the notice to depose Dr. Craig Lemmen on November 11, 2019, was provided with short notice, the Court finds that

rescheduling two depositions during trial may not be feasible. Dr. Craig Lemmen's deposition scheduled on November 11, 2019 can continue as scheduled.

For the reasons set forth above,

IT IS HEREBY ORDERED that Plaintiff's Motion to Quash Deposition Notices [ECF No. 213] is DENIED in part as it relates to Dr. Craig Lemmen's deposition and GRANTED in part as it relates to Dr. Nathan Gross's deposition.

DATED: November 8, 2019

s/Denise Page Hood  
DENISE PAGE HOOD  
Chief Judge